

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

RICHARD KITCHENS, JR.

VS.

JESSE E. WILEY AND CLEAN HARBORS  
ENVIRONMENTAL SERVICES, INC.

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CIVIL ACTION NO. 1:16-CV-000347

JURY

**INDEX OF DOCUMENTS FROM STATE COURT ACTION**

The following is an index of the pleadings, answers to pleadings, process, and orders entered by the state court in Cause No. B160200-C; *Richard Kitchens, Jr. v. Jesse E. Wiley and Clean Harbors Environmental Services, Inc.*:

NO.	NAME OF DOCUMENT	DATE FILED
1.	Case History Sheet	8/17/2016
2.	Plaintiff's Original Petition	6/30/2016
3.	Issuance of Citation to Clean Harbors Environmental Services, Inc.	7/5/2016
4.	Issuance of Citation to Jessie E. Wiley	7/5/2016
5.	Affidavit of Service to Secretary of State to Forward to Clean Harbors Environmental Services, Inc.	7/11/2016
6.	Affidavit of Service to Jesse E. Wiley	7/14/2016

**EXHIBIT**  
**A**

801 W Division, Orange, 77630 TX. Phone: (409)882-7825 EXT

**CASE HISTORY FOR CASE 160200-C****RICHARD KITCHENS JR VS. JESSE E WILEY**

FILED DATE: 8/30/2016

CASE TYPE: C/MOTOR VEHICLE

STATUS: Active

JUDGE: 163rd District Court

**CASE PARTIES:**

Plaintiff KITCHENS JR, RICHARD

Plaintiff Attorney NIELSEN, ERIC D

Defendant WILEY, JESSE E

Defendant CLEAN HARBORS ENVIRONMENTAL SERVICES INC

**CASE HISTORY FOR CASE 160200-C****KITCHENS JR, RICHARD**

Current Age: Unknown

DOB: Unknown

DL#:

SSN: 000-00-0000

Total Paid: \$ 436.00

Balance Due: \$ 0.00

COST	AMOUNT	PAY PRIORITY
Action: PLAINTIFF'S ORIGINAL PETITION		
COMP PUB ACCT CV (DC) \$50.00	\$50.00	20
DISTRICT CLK'S FEE-CASE \$50.00	50.00	50
OR CTY SHERIFF FEE-CASE \$5.00	5.00	50
LAW LIBRARY FEES \$20.00	20.00	50
STENOGRAPHIC FEES \$15.00	15.00	50
COURTHOUSE SEC FUND \$5.00	5.00	50
REC MGMT PRES \$5. GC 51.317 (c)(2)	5.00	50
REC MGMT PRES FUND(CL-R) GC 51.317(c)(1	5.00	40
JUDICIARY FEE	42.00	30
STATE:IND LGL(C)LGC 133.152 (a)(1)	10.00	30
APPELLATE JUD SUPPORT FEE	5.00	30
DC DIGITIZE CT. R. GC 51.708	10.00	40
DC ARCHIVE 51.305 (b)	10.00	40
STATE E-FILING (C) \$30 GC 51.851 (b)	30.00	20
Action: CITATION REQUESTED (CERTIFIED MAIL)		
DISTRICT CLERK FEES : GENERAL	83.00	50
Action: CITATION REQUESTED (STATE/CERTIFIED MAIL)		
DISTRICT CLERK FEES : GENERAL	91.00	50
<b>Total:</b>	<b>\$436.00</b>	

DATE	TIME	DESCRIPTION
08/17/2016	9:19 am	Filing recorded: COPY REQUEST + KITCHENS JR, RICHARD
08/17/2016	9:19 am	Filing recorded: E-FILE RECEIPT KITCHENS JR, RICHARD
08/16/2016	11:34 am	Filing recorded: COPY REQUEST + (2) KITCHENS JR, RICHARD
08/16/2016	11:34 am	BRITTANYT recorded the following Case Action Note: 1st request was sent without money KITCHENS JR, RICHARD
08/16/2016	11:34 am	Filing recorded: E-FILE RECEIPT KITCHENS JR, RICHARD
07/14/2016	9:13 am	Filing recorded: CITATION RETURNED +

Print Date: 08/17/2016

Print Time: 9:25:08AM

Requested By: DENISES

File: U:\Reports\CaseHistoryCivil.RPT

Page 1 of 2

**DO NOT COPY OR ALTER - This document contains security features.**

		WILEY, JESSE E
07/14/2016	8:49 am	DENISES recorded the following Case Action Note: SECRETARY OF STATE. CLEAN HARBORS ENVIRONMENTAL SERVICES INC
07/11/2016	8:49 am	Filing recorded: CITATION RETURNED + CLEAN HARBORS ENVIRONMENTAL SERVICES INC
07/06/2016	11:48 am	Received payment of \$436.00 from ERIC D NIELSEN (EFILE) for RICHARD KTCHENS JR. Printed receipt #499510. KTCHENS JR, RICHARD
07/05/2016	12:42 pm	Filing recorded: CITATION/S ISSUED + (2) CLEAN HARBORS ENVIRONMENTAL SERVICES INC
07/05/2016	12:42 pm	DENISES recorded the following Case Action Note: CM/RRR TO CLEAN HARBORS ENVIRONMENTAL SERVICES THROUGHT SOS AND TO JESSIE WILEY CLEAN HARBORS ENVIRONMENTAL SERVICES INC
07/05/2016	11:06 am	Filing recorded: CITATION REQUESTED (STATE/CERTIFIED MAIL) KTCHENS JR, RICHARD
07/05/2016	11:04 am	Filing recorded: CITATION REQUESTED (CERTIFIED MAIL) KTCHENS JR, RICHARD
06/30/2016	11:04 am	Filing recorded: PLAINTIFF'S ORIGINAL PETITION KTCHENS JR, RICHARD
06/30/2016	11:03 am	Filing recorded: REQ FOR PROCESS FORM KTCHENS JR, RICHARD
06/30/2016	11:03 am	Filing recorded: CASE INFORMATION SHEET KTCHENS JR, RICHARD
06/30/2016	11:02 am	Filing recorded: E-FILE RECEIPT KTCHENS JR, RICHARD
06/30/2016	11:02 am	Filing recorded: *** E-FILED CASE *** KTCHENS JR, RICHARD



State of Texas  
County of Orange

I, VICKIE EDGERLY, Clerk of the District Court in  
and for Orange County, Texas, do hereby certify  
that the above and foregoing is a true and correct  
copy of the Original Hereof, as same was filed and  
appears of record in my office.

Witness my official seal and signature of office  
In Orange, Texas, this the 19 day of August 2016

VICKIE EDGERLY  
Clerk of District Court  
of Orange County, Texas  
by *[Signature]*  
DENISE SMITH

CERTIFIED COPY



NO. B160200-C

RICHARD KITCHENS, JR.

VS.

JESSE E. WILEY and CLEAN HARBORS  
ENVIRONMENTAL SERVICES, INC.§  
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IN THE DISTRICT COURT OF

ORANGE COUNTY, TEXAS

163rd JUDICIAL DISTRICT

**PLAINTIFF'S ORIGINAL PETITION; REQUEST FOR DISCLOSURE;  
FIRST REQUEST FOR PRODUCTION; FIRST SET OF INTERROGATORIES**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW RICHARD KITCHENS, JR., hereby becoming Plaintiff in the above-entitled and numbered cause, complaining of JESSE E. WILEY and CLEAN HARBORS ENVIRONMENTAL SERVICES, INC., Defendants, and for cause of action would respectfully show the Court the following:

**DISCOVERY LEVEL**

1. Plaintiff intends to conduct discovery pursuant to Rule 190 of the Texas Rules of Civil Procedure, Level Two (2).

**PARTIES**

2. Plaintiff is an individual residing in Harris County, Texas.
3. Defendant JESSE E. WILEY ("WILEY") is an individual residing in Louisiana. Defendant may be served with process herein pursuant to §17.062 of the Texas Civil Practice & Remedies Code. That statute provides that the chairman of the Texas Transportation Commission is an agent for service of process on a person who is a nonresident in any suit against the person that

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grows out of a collision or accident in which the person is involved while operating a motor vehicle in this state.

4. Process may be served on Defendant WILEY by serving a certified copy of the process on the chairman not later than the 20th day prior to the date of return stated in the process. Immediately after being served, the chairman by properly addressed letter shall mail to Defendant WILEY:

- a. a copy of the process; and
- b. notice that the process has been served on the chairman.

The notice and copy of the process must be sent to Defendant WILEY by registered mail, or by certified mail, return receipt requested, with the postage prepaid to the following residence address:

JESSE E. WILEY  
1711 CAROLINE DRIVE  
LIVINGSTON, LA. 70754

5. Defendant CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. ("CLEAN HARBORS") is a foreign corporation that is authorized to do business in Texas. Defendant CLEAN HARBORS may be served with process herein by serving its registered agent for service of process, C.T. Corporation System, at its registered office, 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136.

#### VENUE

6. Venue is proper in Orange County, Texas because the collision made the basis of this lawsuit occurred in Orange County, Texas.



**BACKGROUND FACTS**

7. On or about August 9, 2015, Plaintiff was driving west in the farthest right lane of Interstate 10 near mile marker 858. At that time and place, Defendant WILEY was driving west in the middle lane of Interstate 10 near mile marker 858, to the left of Plaintiff. Suddenly and without warning, Defendant WILEY turned to the right to exit the freeway and crashed into Plaintiff's vehicle. As a result of this collision, Plaintiff was injured.

**RESPONDEAT SUPERIOR**

8. At all times material hereto, Defendant WILEY was in the course and scope of his employment with Defendant CLEAN HARBORS. Defendant CLEAN HARBORS is therefore liable for the negligence of Defendant WILEY pursuant to the doctrine of *respondeat superior*.

**NEGLIGENCE**

9. On the occasion in question, Defendant WILEY was negligent in one or more of the following respects:

- a) failing to keep a proper lookout;
- b) failing to brake to avoid the collision;
- c) failing to apply his brakes in a timely manner;
- d) driving at a rate of speed in excess of the speed that a reasonably prudent person in the same or similar circumstances would have driven;
- e) failing to control his speed;
- f) failing to steer to avoid the collision;
- g) failing to drive in a single lane of traffic;
- h) changing lanes when it was unsafe to do so;

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- i) exiting the freeway from the wrong lane of traffic.

Each of the foregoing acts, alone or in combination with the others, constitutes negligence and a violation of Defendant's duty of care to Plaintiffs, which proximately caused the occurrence in question, and Plaintiffs' damages.

#### **ACTUAL DAMAGES**

10. As a proximate result of the negligence of Defendant WILEY, Plaintiff was injured. The negligence of Defendant has proximately caused Plaintiff to suffer the following elements of damages in the past and Plaintiff will, in all reasonable probability, continue to suffer such elements of damage in the future:

- 1) physical and mental pain and anguish;
- 2) loss of wage earning capacity;
- 3) physical impairment;
- 4) disfigurement; and
- 5) medical expenses.

Plaintiff has suffered damages from Defendants' wrongful conduct described herein. As discussed in this Petition, Plaintiff has suffered not only easily quantifiable economic damages but also other forms of damages such as mental anguish and pain and suffering and will likely continue to suffer these damages in the future. Both the Constitution of the United States and the Constitution of the State of Texas provide Plaintiff with the inalienable fundamental right to have his case heard and decided by a jury of his peers at trial. In accordance with these fundamental rights it will ultimately be the responsibility and province of a jury of Plaintiff's peers to decide the economic value of the damages Plaintiff suffered as a result of Defendant's wrongful actions

and omissions which form the basis of this lawsuit. However, as Plaintiff is required by law to state the maximum amount of damages he is seeking, Plaintiff believes that when the totality of his damages are considered, along with the wrongful nature of Defendants' conduct, it is possible that a jury may ultimately decide that Plaintiff's damages exceed two hundred thousand dollars but do not exceed one million dollars. Plaintiff therefore sues for a sum in excess of the jurisdictional limits of the Court to be determined by the jury in its sole discretion.

**JURY DEMAND**

11. Pursuant to Rule 216 of the Texas Rules of Civil Procedure, Plaintiffs demand trial by jury and tender the jury fee along with this filing.

**RULE 193.7 NOTICE**

12. You are hereby given notice pursuant to T.R.C.P. Rule 193.7 of Plaintiffs' intent to offer any and all documents produced by Defendant(s) in response to any discovery request as evidence in any pretrial proceeding or at trial.

**REQUEST FOR DISCLOSURE TO DEFENDANT JESSE E. WILEY**

13. Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Plaintiff hereby requests that you respond to items (A) through (L) no later than fifty-one (51) days from the service of this lawsuit.

**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION  
TO DEFENDANT JESSE E. WILEY**

14. Pursuant to Rule 196 of the Texas Rules of Civil Procedure, Plaintiff hereby serves upon you Plaintiff's First Request for Production. Your responses thereto are due fifty-one (51) days from the service of this lawsuit. The documents and tangible things requested should be



produced at the offices of The Nielsen Law Firm, P.C., 9800 Northwest Freeway, Suite 314,  
Houston, Texas 77092.

**REQUEST FOR PRODUCTION NO. 1**

True and correct copies of any and all incident reports made by agents, representatives or employees of Defendant concerning the incident made the basis of this lawsuit.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 2**

True and correct copies of any and all incident reports made by any police department or agency, Defendant's insurance carrier, or anyone else concerning the incident made the basis of this lawsuit.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 3**

True and correct copies of any and all photographs, videotapes, films or other graphic images of Plaintiff (including but not limited to surveillance photographs, videotapes, films or other graphic images of Plaintiff); the scene of the incident made the basis of this lawsuit; or any vehicle involved in the collision made the basis of this lawsuit.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 4**

True and correct copies of any and all documents in Defendant's care custody or constructive control which mention the name of Plaintiff, other than documents for which Defendant in good faith claims a privilege. With respect to each such document for which Defendant in good faith claims a privilege, please provide a privilege log in compliance with Rule 193.3(b) of the Texas Rules of Civil Procedure.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 5**

True and correct copies of any and all documents which mention, reflect or refer to the conviction of any party, witness or potential witness of a felony or crime of moral turpitude pursuant to rule 609 of the Texas Rules of Evidence.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 6**

True and correct copies of any documents which mention, reflect or refer to any cost of repair of any vehicle involved in the collision made the basis of this lawsuit, including but not limited to any repair estimates or repair invoices.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 7**

True and correct copies of any and all correspondence between Defendant or Defendant's insurance carrier and Plaintiff or any representative of Plaintiff, regardless of who generated such correspondence.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 8**

True and correct copies of any and all correspondence between: 1) Defendant or Defendant's insurance carrier; and 2) any person or representative of any person making a claim against Defendant as a result of the collision made the basis of this lawsuit.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 9**

True and correct copies of any and all settlement agreements with any person making a claim against Defendant as a result of the collision made the basis of this lawsuit.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 10**

True and correct copies of any and all medical records and/or medical bills which mention or refer to Plaintiff and/or any injury or physical or psychological complaint made by Plaintiff at any time

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before or after the incident made the basis of this lawsuit, which is in the possession, control or constructive control of Defendant, Defendant's counsel, or Defendant's insurance carrier.

**RESPONSE:**

**PLAINTIFF'S FIRST SET OF INTERROGATORIES**  
**TO DEFENDANT JESSE E. WILEY**

15. Pursuant to Rule 197 of the Texas Rules of Civil Procedure, Plaintiff hereby serves upon you Plaintiff's First Set of Interrogatories to Defendant. Your answers must be made separately and under oath. Your answers may be used as evidence at the trial of this lawsuit. Your answers are due fifty-one (51) days from the service of this lawsuit.

**INTERROGATORY NO. 1:**

Please state your name, address (both home and business), telephone number (both home and business), driver's license number, and date of birth.

**ANSWER:**

**INTERROGATORY NO. 2:**

Please state the name, address and telephone number of your current employer and your employer on the date of the incident made the basis of this lawsuit.

**ANSWER:**

**INTERROGATORY NO. 3:**

Please state the full name and address and telephone number of the owner of the vehicle which you were riding in, and state why you were riding in the vehicle at the time of the incident made the basis of this lawsuit.

**ANSWER:**

**INTERROGATORY NO. 4:**

Please describe how the incident made the basis of this lawsuit happened.

**ANSWER:**

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**INTERROGATORY NO. 5:**

Describe the weather conditions on the day of the collision made the basis of this lawsuit.

**ANSWER:**

**INTERROGATORY NO. 6:**

At the time of the collision made the basis of this lawsuit, please state where you were coming from and where you were intending to go.

**ANSWER:**

**INTERROGATORY NO. 7**

Pursuant to Rule 192.3(d) of the Texas Rules of Civil Procedure, state the name, address and telephone number of any person who is expected to be called to testify at trial.

**ANSWER:**

**INTERROGATORY NO. 8**

Pursuant to Rule 192.3 (b) of the Texas Rules of Civil Procedure, describe the nature, custody, condition, location, and contents of any documents and tangible things (including papers, books, accounts, drawings, graphs, charts, photographs, electronic or videotape recordings, data and data compilations) that constitute or contain matters relevant to the subject matter of this action.

**ANSWER:**

**INTERROGATORY NO. 9**

In the twenty-four (24) hour period immediately preceding the collision made the basis of this lawsuit, did you consume any alcohol, medications, or legal or illegal drugs of any kind? If so, state the amount and type of substance you consumed, and the last time you consumed the substance before the collision.

**ANSWER:**

**INTERROGATORY NO. 10**

Were you given a drug test after the collision made the basis of this lawsuit? If so, where did you take the drug test and what were the results of the drug test?

**ANSWER:**

**INTERROGATORY NO. 11**

Have you ever been a party to any other criminal or civil lawsuit? If so, state the style of each case, the cause number of each case, and the county where each case was filed.

**ANSWER:**

**INTERROGATORY NO. 12**

State the name, address and telephone number of each person who has made a claim against you, your employer, and/or your insurance carrier for property damage or personal injuries as a result of the collision made the basis of this claim.

**ANSWER:**

**INTERROGATORY NO. 13**

Did you give a recorded or written statement concerning the collision made the basis of this lawsuit to your insurance carrier or anyone else? If so, to whom did you give such a statement and when was the statement given?

**ANSWER:**

**INTERROGATORY NO. 14**

At the time of the collision made the basis of this lawsuit, were you in the course and scope of your employment with any employer? If so, state the name, address and telephone number of the employer.

**ANSWER:**

**INTERROGATORY NO. 15:**

If you have ever been convicted, pleaded guilty or *nolo contendere* of any statutory offense, state the nature of the offense, the date of the offense, the county and state in which you were tried and the sentence/fine you were given.

**ANSWER:**

**INTERROGATORY NO. 16:**

State the name, address and telephone number of all occupants of the vehicle which you were operating at the time of the collision made the basis of this lawsuit.

**ANSWER:**

**INTERROGATORY NO. 17:**

Please identify and describe any all motor vehicle accidents and/or auto-pedestrian accidents in which you have been involved within the last ten (10) years, including but not limited to the: date of the accident; location of the accident; citations issued; description of the accident; and injuries of those involved.

**ANSWER:**

**INTERROGATORY NO. 18:**

Please identify and describe any and all citations, tickets and/or warnings you have received within the last ten (10) years for moving violations and/or violation of traffic-related ordinances.

**ANSWER:**

**REQUEST FOR DISCLOSURE TO DEFENDANT  
CLEAN HARBORS ENVIRONMENTAL, INC.**

16. Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Plaintiff hereby requests that you respond to items (A) through (L) no later than fifty-one (51) days from the service of this lawsuit.

**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION  
TO DEFENDANT CLEAN HARBORS ENVIRONMENTAL, INC.**

17. Pursuant to Rule 196 of the Texas Rules of Civil Procedure, Plaintiff hereby serves upon you Plaintiff's First Request for Production. Your responses thereto are due fifty-one (51) days from the service of this lawsuit. The documents and tangible things requested should be



produced at the offices of The Nielsen Law Firm, P.C., 9800 Northwest Freeway, Suite 314, Houston, Texas 77092.

**REQUEST FOR PRODUCTION NO. 1**

True and correct copies of any and all incident reports made by agents, representatives or employees of Defendant concerning the incident made the basis of this lawsuit.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 2**

True and correct copies of any and all incident reports made by any police department or agency, Defendant's insurance carrier, or anyone else concerning the incident made the basis of this lawsuit.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 3**

True and correct copies of any and all photographs, videotapes, films or other graphic images of Plaintiff (including but not limited to surveillance photographs, videotapes, films or other graphic images of Plaintiff); the scene of the incident made the basis of this lawsuit; or any vehicle involved in the collision made the basis of this lawsuit.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 4**

True and correct copies of any and all documents in Defendant's care custody or constructive control which mention the name of Plaintiff, other than documents for which Defendant in good faith claims a privilege. With respect to each such document for which Defendant in good faith claims a privilege, please provide a privilege log in compliance with Rule 193.3(b) of the Texas Rules of Civil Procedure.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 5**

True and correct copies of any and all documents which mention, reflect or refer to the conviction of any party, witness or potential witness of a felony or crime of moral turpitude pursuant to rule 609 of the Texas Rules of Evidence.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 6**

True and correct copies of any documents which mention, reflect or refer to any cost of repair of any vehicle involved in the collision made the basis of this lawsuit, including but not limited to any repair estimates or repair invoices.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 7**

True and correct copies of any and all correspondence between Defendant or Defendant's insurance carrier and Plaintiff or any representative of Plaintiff, regardless of who generated such correspondence.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 8**

True and correct copies of any and all correspondence between: 1) Defendant or Defendant's insurance carrier, and 2) any person or representative of any person making a claim against Defendant as a result of the collision made the basis of this lawsuit.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 9**

True and correct copies of any and all settlement agreements with any person making a claim against Defendant as a result of the collision made the basis of this lawsuit.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 10**

True and correct copies of any and all medical records and/or medical bills which mention or refer to Plaintiff and/or any injury or physical or psychological complaint made by Plaintiff at any time before or after the incident made the basis of this lawsuit, which is in the possession, control or constructive control of Defendant, Defendant's counsel, or Defendant's insurance carrier.

**RESPONSE:**

**PLAINTIFF'S FIRST SET OF INTERROGATORIES**  
**TO DEFENDANT CLEAN HARBORS ENVIRONMENTAL, INC.**

18. Pursuant to Rule 197 of the Texas Rules of Civil Procedure, Plaintiff hereby serves upon you Plaintiff's First Set of Interrogatories to Defendant. Your answers must be made separately and under oath. Your answers may be used as evidence at the trial of this lawsuit. Your answers are due fifty-one (51) days from the service of this lawsuit.

**INTERROGATORY NO. 1:**

Please state the name, address and telephone number of each person who participated in answering these interrogatories and state which interrogatories each such person participate in answering.

**ANSWER:**

**INTERROGATORY NO. 2:**

Please state the full name and address and telephone number of the owner of the vehicle which Defendant JESSE E. WILEY was driving at the time of the collision made the basis of this lawsuit.

**ANSWER:**

**INTERROGATORY NO. 3:**

Please describe how the incident made the basis of this lawsuit happened.

**ANSWER:**

**INTERROGATORY NO. 4:**

Describe the weather conditions on the day of the collision made the basis of this lawsuit.

**ANSWER:**

**INTERROGATORY NO. 5:**

At the time of the collision made the basis of this lawsuit, please state where Defendant JESSE E. WILEY was coming from and where Defendant JESSE E. WILEY was intending to go.

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**ANSWER:**

**INTERROGATORY NO. 6**

Pursuant to Rule 192.3(d) of the Texas Rules of Civil Procedure, state the name, address and telephone number of any person who is expected to be called to testify at trial.

**ANSWER:**

**INTERROGATORY NO. 7**

Pursuant to Rule 192.3 (b) of the Texas Rules of Civil Procedure, describe the nature, custody, condition, location, and contents of any documents and tangible things (including papers, books, accounts, drawings, graphs, charts, photographs, electronic or videotape recordings, data and data compilations) that constitute or contain matters relevant to the subject matter of this action.

**ANSWER:**

**INTERROGATORY NO. 8**

Was Defendant JESSE E. WILEY given a drug test after the collision made the basis of this lawsuit? If so, where did Defendant JESSE E. WILEY take the drug test and what were the results of the drug test?

**ANSWER:**

**INTERROGATORY NO. 9**

Have you ever been a party to any other lawsuit? If so, state the style of each case, the cause number of each case, and the county where each case was filed.

**ANSWER:**

**INTERROGATORY NO. 10**

State the name, address and telephone number of each person who has made a claim against you and/or your insurance carrier for property damage or personal injuries as a result of the collision made the basis of this claim.

**ANSWER:**

**INTERROGATORY NO. 11**

Did Defendant JESSE E. WILEY give a recorded or written statement concerning the collision made the basis of this lawsuit to your insurance carrier or anyone else? If so, to whom did Defendant JESSE E. WILEY give such a statement and when was the statement given?

**ANSWER:**

**INTERROGATORY NO. 12**

At the time of the collision made the basis of this lawsuit, was Defendant JESSE E. WILEY in the course and scope of employment with any employer? If so, state the name, address and telephone number of the employer.

**ANSWER:**

**INTERROGATORY NO. 14:**

State the name, address and telephone number of all occupants of the vehicle which Defendant JESSE E. WILEY was operating at the time of the collision made the basis of this lawsuit.

**ANSWER:**

**PRAYER**

***WHEREFORE, PREMISES CONSIDERED***, Plaintiff prays that Defendants be cited to appear and answer herein and that on final trial Plaintiff have judgment against Defendants, jointly and severally for:

- 1) damages in an amount in excess of the jurisdictional limits of the Court to be determined by the jury in its sole discretion;
- 2) pre-judgment interest at the highest rate allowed by law;
- 3) post-judgment interest at the highest rate allowed by law;
- 4) costs of Court; and
- 5) such other and further relief to which Plaintiffs may be justly entitled.

Respectfully submitted,

THE NIELSEN LAW FIRM, P.C.

BY: Eric D. Nielsen

ERIC D. NIELSEN

TBA#: 15021625

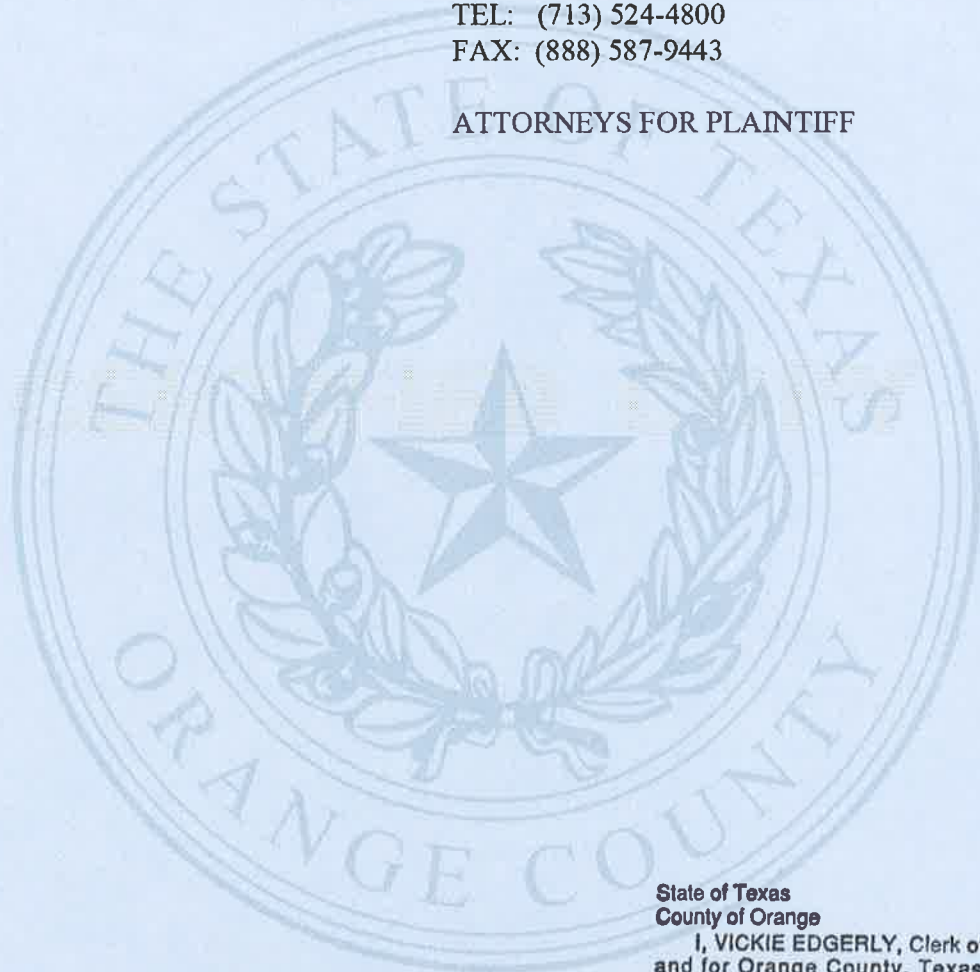
9800 NORTHWEST FREEWAY, SUITE 314

HOUSTON, TEXAS 77006

TEL: (713) 524-4800

FAX: (888) 587-9443

ATTORNEYS FOR PLAINTIFF



State of Texas  
County of Orange

I, VICKIE EDGERLY, Clerk of the District Court in and for Orange County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the Original Hereof, as same was filed and appears of record in my office.

Witness my official seal and signature of office in Orange, Texas, this the 14 day of August 2016



VICKIE EDGERLY  
Clerk of District Court  
of Orange County, Texas  
by Denise Smith  
DENISE SMITH

CERTIFIED COPY



**THE STATE OF TEXAS**

**To: CLEAN HARBORS ENVIRONMENTAL SERVICES INC  
REG AGENT: CT CORPORATION SYSTEM  
1999 BRYAN STREET SUITE 900  
DALLAS, TX 75201-3136**

**BY SERVING THE SECRETARY OF THE STATE OF TEXAS, AUSTIN, TEXAS**

Defendant, **NOTICE:**

**YOU HAVE BEEN SUED.** You may employ an attorney. If you or your Attorney do not file a written answer with the clerk who issued this citation by 10:00 A. M. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Said **ANSWER** may be filed with the District Clerk's Office, Orange County Courthouse, 801 W Division Ave, Orange Texas 77630.

Said **PLAINTIFF'S ORIGINAL PETITION** was filed and docketed in the 163rd District Court of Orange County, Texas at the District Clerk's Office at the Orange County Courthouse, 801 W Division Ave, Orange, Texas on June 30, 2016 in the following styled and numbered cause:

**Cause No: 160200-C**

**RICHARD KTCHENS JR VS. JESSE E WILEY**

The name and address of the attorney for Plaintiff otherwise the address of Plaintiff is:

**ERIC D NIELSEN  
THE NIELSEN LAW FIRM PC  
9800 NORTHWEST FREEWAY SUITE 314  
HOUSTON, TX 77006**

**ISSUED AND GIVEN** under my hand and seal of said Court at Orange, Texas, this July 5, 2016.



**VICKIE EDGERLY, District Clerk  
Orange County, Texas**

*Vickie Edgerly*

**CLERK'S RETURN FOR CERTIFIED MAIL**

CAME TO HAND on the 5TH day of JULY, 2016, at 3:00 o'clock P.M. and executed in Orange County, Texas, by delivering to each of the within named defendants a true copy of this citation, by certified mail, return receipt requested, Addressee Only, the return receipt being attached to this citation and referred hereto for all pertinent purposes.

CERT. MAIL # 71900518001000012210 DELIVERY DATE: \_\_\_\_\_ RETURN DATE: \_\_\_\_\_

**ALTERNATE RETURN**

CAME TO HAND on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at 3:00 o'clock P.M. and after due and diligent effort, having been unable to locate the within named Defendants in \_\_\_\_\_

by certified mail, return receipt requested, Addressee Only, for the reason shown on the return receipt attached to this citation and referred hereto for all pertinent purposes.

**VICKIE EDGERLY, District Clerk  
Orange County, Texas**

By: \_\_\_\_\_ Deputy

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OFFICE OF THE SECRETARY OF STATE  
CITATIONS UNIT  
PO BOX 12079  
AUSTIN, TEXAS-78769

PS Form 3800, January 2013 See Reverse for Instructions

Code: B76020-C DS  
Code2: SOS HARBOR OP



State of Texas  
County of Orange

I, VICKIE EDGERLY, Clerk of the District Court in and for Orange County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the Original Hereof, as same was filed and appears of record in my office.

Witness my official seal and signature of office in Orange, Texas, this 17 day of August 2016

VICKIE EDGERLY  
Clerk of District Court  
of Orange County, Texas  
by *[Signature]*  
DENISE SMITH



**THE STATE OF TEXAS**

**To: JESSIE E WILEY**  
**1711 CAROLINE DRIVE**  
**LIVINGSTON, LA 70754**

Defendant, **NOTICE:**

**YOU HAVE BEEN SUED.** You may employ an attorney. If you or your Attorney do not file a written answer with the clerk who issued this citation by 10:00 A. M. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Said **ANSWER** may be filed with the District Clerk's Office, Orange County Courthouse, 801 W Division Ave, Orange Texas 77630.

Said

**PLAINTIFF'S ORIGINAL PETITION**

was filed and docketed in the 163rd District Court of Orange County, Texas at the District Clerk's Office at the Orange County Courthouse, 801 W Division Ave, Orange, Texas on June 30, 2016 in the following styled and numbered cause:

**Cause No: 160200-C**

**RICHARD KTCHENS JR VS. JESSE E WILEY**

The name and address of the attorney for Plaintiff otherwise the address of Plaintiff is:

**ERIC D NIELSEN**  
**THE NIELSEN LAW FIRM PC**  
**9800 NORTHWEST FREEWAY SUITE 314**  
**HOUSTON, TX 77006**

**ISSUED AND GIVEN** under my hand and seal of said Court at Orange, Texas, this July 5, 2016.



**VICKIE EDGERLY, District Clerk**  
 Orange County, Texas

*Vickie Edgerly*

**CLERK'S RETURN FOR CERTIFIED MAIL**

CAME TO HAND on the 5TH day of JULY, 2016, at 3:00 o'clock P.M. and executed in Orange County, Texas, by delivering to each of the within named defendants a true copy of this citation, by certified mail, return receipt requested, Addressee Only, the return receipt being attached to this citation and referred hereto for all pertinent purposes.

CERT. MAIL # 71900518001000012203 DELIVERY DATE: \_\_\_\_\_ RETURN DATE: \_\_\_\_\_

**ALTERNATE RETURN**

CAME TO HAND on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at 3:00 o'clock P.M. and after due and diligent effort, having been unable to locate the within named Defendants in \_\_\_\_\_ by certified mail, return receipt requested, Addressee Only, for the reason shown on the return receipt attached to this citation and referred hereto for all pertinent purposes.

**VICKIE EDGERLY, District Clerk**  
 Orange County, Texas

By: \_\_\_\_\_ Deputy





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JESSIE E WILEY  
1711 CAROLINE DRIVE  
LIVINGSTON, LA 70754

Code: B100200-C DS  
Code2: WILEY OP

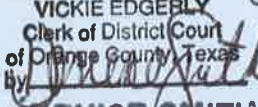
PS Form 3800, January 2013 See Reverse for Instructions



State of Texas  
County of Orange

I, VICKIE EDGERLY, Clerk of the District Court in and for Orange County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the Original Hereof, as same was filed and appears of record in my office.

Witness my official seal and signature of office in Orange, Texas, this the 17 day of August, 2016.

VICKIE EDGERLY  
Clerk of District Court  
of Orange County, Texas  
by   
DENISE SMITH

**THE STATE OF TEXAS**

To: **CLEAN HARBORS ENVIRONMENTAL SERVICES INC**  
**REG AGENT: CT CORPORATION SYSTEM**  
**1999 BRYAN STREET SUITE 900**  
**DALLAS, TX 75201-3136**

**BY SERVING THE SECRETARY OF THE STATE OF TEXAS, AUSTIN, TEXAS**

Defendant, **NOTICE:**

**YOU HAVE BEEN SUED.** You may employ an attorney. If you or your Attorney do not file a written answer with the clerk who issued this citation by 10:00 A. M. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

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**Cause No: 160200-C**  
**RICHARD KITCHENS JR VS. JESSE E WILEY**

The name and address of the attorney for Plaintiff otherwise the address of Plaintiff is:

**ERIC D NIELSEN**  
**THE NIELSEN LAW FIRM PC**  
**9800 NORTHWEST FREEWAY SUITE 314**  
**HOUSTON, TX 77006**

**ISSUED AND GIVEN** under my hand and seal of said Court at Orange, Texas, this July 5, 2016.



**VICKIE EDGERLY, District Clerk**  
Orange County, Texas

*Vickie Edgerly*

**CLERK'S RETURN FOR CERTIFIED MAIL**

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by certified mail, return receipt requested, Addressee Only, for the reason shown on the return receipt attached to this citation and referred hereto for all pertinent purposes.

**VICKIE EDGERLY, District Clerk**  
Orange County, Texas

IMAGED

By: \_\_\_\_\_ Deputy



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**OFFICE OF THE SECRETARY OF STATE  
 CITATIONS UNIT  
 PO BOX 12079  
 AUSTIN, TEXAS-2079**

PS Form 3800, January 2013 See Reverse for Instructions

Code: B160200-C DS  
 Code2: SOS HARBOR OP

2. Article Number

**7190 0518 0010 0001 2210**

1. Article Addressed to:

**OFFICE OF THE SECRETARY OF STATE  
 CITATIONS UNIT  
 PO BOX 12079  
 AUSTIN, TEXAS-2079**

Code: B160200-C DS  
 Code2: SOS HARBOR OP

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X** ☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Indelivery address different from item 1? ☐ Yes ☐ No  
 Indelivery address below:

3. Service Type ☒ Certified

4. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811 Domestic Return Receipt





State of Texas  
County of Orange

I, VICKIE EDGERLY, Clerk of the District Court in and for Orange County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the Original Hereof, as same was filed and appears of record in my office.

Witness my official seal and signature of office  
In Orange, Texas, this the 22 day of August, 2016

VICKIE EDGERLY  
Clerk of District Court  
of Orange County, Texas  
by Denise Smith  
DENISE SMITH

**THE STATE OF TEXAS**

To: JESSIE E WILEY  
1711 CAROLINE DRIVE  
LIVINGSTON, LA 70754

Defendant, **NOTICE:**

**YOU HAVE BEEN SUED.** You may employ an attorney. If you or your Attorney do not file a written answer with the clerk who issued this citation by 10:00 A. M. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

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The name and address of the attorney for Plaintiff otherwise the address of Plaintiff is:

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THE NIELSEN LAW FIRM PC  
9800 NORTHWEST FREEWAY SUITE 314  
HOUSTON, TX 77006**

**ISSUED AND GIVEN** under my hand and seal of said Court at Orange, Texas, this July 5, 2016.



**VICKIE EDGERLY, District Clerk**  
Orange County, Texas

*Vickie Edgerly*

**CLERK'S RETURN FOR CERTIFIED MAIL**

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**VICKIE EDGERLY, District Clerk**  
Orange County, Texas

IMAGED

By: \_\_\_\_\_ Deputy

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<b>Total Postage &amp; Fees</b>	<b>\$5.21</b>	

Sent To **JESSIE E WILEY**  
 1711 CAROLINE DRIVE  
 LIVINGSTON, LA 70754

Street, Apt. No.,  
 or PO Box No.  
 City, State, Zip+4

PS Form 3800, January 2013 See Reverse for Instructions

Code: B160200-C DS  
Code2: WILEY OP

**2. Article Description**

**7190 0518 0010 0001 2203**

**1. Article Addressed to:**

**JESSIE E WILEY**  
**1711 CAROLINE DRIVE**  
**LIVINGSTON, LA 70754**

Code: B160200-C DS  
 Code2: WILEY OP

**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature**  
☒ Agent  
☐ Addressee  
*Jennifer Wiley*

**B. Received by (Printed Name)**  
*Jennifer Wiley*

**C. Date of Delivery**  
*7/11*

**D. Is delivery address different from item 1? ☐ Yes**  
 If YES enter delivery address below: ☐ No

**3. Service Type**  
☒ Certified  
☐ Registered Mail<sup>SM</sup>

**4. Restricted Delivery? (Extra Fee) ☐ Yes**

16 JUL 14 2:06 PM  
 VICKS ENCLERY

PS Form 3811 Domestic Return Receipt





State of Texas  
County of Orange

I, VICKIE EDGERLY, Clerk of the District Court in and for Orange County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the Original Hereof, as same was filed and appears of record in my office.

Witness my official seal and signature of office  
In Orange, Texas, this the 17 day of August 2016

VICKIE EDGERLY  
Clerk of District Court  
of Orange County, Texas  
by Denise Smith  
DENISE SMITH